

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FIDEL DE JESUS, VICTOR RAMOS,
ISRAEL FLORES, CIRINO MORALES,
ROGELIO BAZAN, ALFONSO MENDEZ,
and JOSE JUAN GARCIA, *on behalf of themselves,*
FLSA Collective Plaintiffs and the Class,

Plaintiffs,

-against-

OYSHI TABLE CORP.
d/b/a TOASTIES,
and MATTHEW AHN,

Defendants.

Case No.: 19-cv-00830

~~PROPOSED~~ ORDER OF
VOLUNTARY DISMISSAL
PURSUANT TO F.R.C.P.
41(a)(2)

IT IS HEREBY ORDERED, pursuant to Federal Rule of Civil Procedure 41(a)(2), that Plaintiffs ROGELIO BAZAN and JOSE JUAN GARCIA are hereby dismissed from this action, ~~with~~ without prejudice and without attorneys' fees to any party.

For the avoidance of doubt, this action is not dismissed and shall continue with the remaining Plaintiffs. Furthermore, there has been no settlement for Plaintiffs ROGELIO BAZAN and JOSE JUAN GARCIA. Plaintiff ROGELIO BAZAN no longer wishes to participate in the litigation and Plaintiff JOSE JUAN GARCIA has been unable to be contacted or located by the Plaintiffs or Plaintiffs' counsel.

SO ORDERED



Hon. John P. Cronan U.S.D.J.

December 16, 2021

Dated
New York, New York

If counsel believe that this case should be dismissed with prejudice, they shall provide a supplemental letter by January 5, 2022, detailing why dismissal with prejudice would be warranted and providing case law in support.